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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/583,200	05/30/2000	John D Fikes	018623-015720US	1443

28393 7590 05/20/2003

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 NEW YORK AVE., N.W.  
WASHINGTON, DC 20005

EXAMINER
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SCHWADRON, RONALD B

ART UNIT	PAPER NUMBER
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1644

DATE MAILED: 05/20/2003

18

Please find below and/or attached an Office communication concerning this application or proceeding.



UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY  
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
WWW.USPTO.GOV

DEA/FCE-1994

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED:

Please find below a communication from the **EXAMINER** in charge of this application  
Commissioner of Patents

1. The reply filed 11/12/2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s).

Regarding applicants election, original claims 1-36 listed a composition wherein the peptide of claim 1 is joined to a CTL epitope (see claim 3). This is the species referred to in the Office Action mailed 9/11/2002, wherein said species was distinguished from the other species referred to in said species election (eg. composition containing a HTL, etc.). In the response filed 11/12/2002 applicant has elected the species "CTL epitope", but there is no claim pending that is similar to original claim 3. Furthermore, applicant has indicated that claims 57-73 read on the elected species, however a variety of said claims were delineated as separate species as per paragraph 3 of the Office Action mailed 9/11/2002. Applicant needs to elect a single species as per the Office Action mailed 9/11/2002, paragraph 3 wherein CTL epitope is mutually exclusive of the other species listed in said requirement.

Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

2. Papers related to this application may be submitted to Group 1600 by facsimile transmission. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). Papers should be faxed to Group 1600 at (703) 305-3014.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Ron Schwadron whose telephone number is (703) 308-4680. The examiner can normally be reached Monday through Thursday from 7:30 to 6:00. A message may be left on the examiners voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Christina Chan can be reached on (703) 308-3973. Any inquiry of a general nature or relating to the status of this application should be directed to the Group 180 receptionist whose telephone number is (703) 308-0196.



RONALD B. SCHWADRON  
PRIMARY EXAMINER  
GROUP 1600 *1644*

Ron Schwadron, Ph.D.  
Primary Examiner  
Art Unit 1644